

REMARKS

Claims 26-44 are pending in the present application. The Office Action and cited references have been considered. Favorable reconsideration is respectfully requested.

Claims 26, 27, 35-38 and 44 were rejected under 35 U.S.C. §102(b) as being anticipated by Cutillo (U.S. Patent Application Publication No. 2006/0228113). Claims 28 and 29 were rejected under 35 U.S.C. §103 as being unpatentable over Cutillo in view of Czerwec (U.S. Patent No. 5,903,372). Claims 30-31 33, 39, and 40-43 were rejected under 35 U.S.C. §103 as being unpatentable over Cutillo in view of DeLangis (U.S. Patent Application Publication No. 2005/0078690). Claims 32 and 34 were rejected under 35 U.S.C. §103 as being unpatentable over Cutillo in view of DeLangis in view of Czerwec. These rejections are respectfully traversed for the following reasons.

The remarks submitted previously are incorporated herein by reference. Further, to advance prosecution, Applicant has amended the independent claims to clarify the differences between Cutillo and the present invention. Specifically, in independent method Claim 26, the step of arranging the distribution unit is has been amended as follows:

in the distribution unit, arranging a second plurality of substantially uniform communication devices for serving the first plurality of subscribers, so said second plurality either comprises **only** uniform communication devices using the DABT, ~~or comprises said uniform communication devices and also an exceptional communication device using a more advanced broadband technology than said DABT,~~

accordingly, the step of providing services is amended as follows:

providing for each of the subscribers, irrespective of its individual agreement reached with the service provider, an individual

permanent communication link for supplying, from one of the communication devices, respective broadband communication services by using either said DABT or said more advanced broadband technology, and...

Thus, Applicant has amended the independent claims 26, 30, 35, 39, and 44 of the patent application to claim **the use of only uniform communication devices implementing the DABT. Such an amendment restricts the main claims to the use of only uniform, DABT communication devices in the distribution unit**, regardless any individual service agreements of multiple subscribers connected to the distribution unit.

Therefore, Applicant respectfully submits that Cutillo, and in particular Fig. 1 of Cutillo becomes irrelevant to the amended claims, since Cutillo's solution is now clearly positioned on the level of the prior art described by Applicant, where distribution units always comprise a variety of different communication devices.

Further, dependent claim 27, where DABT is the VDSL (Very High Digital Subscriber Line) technology, therefore becomes definitely new and inventive in view of Cutillo. Neither Cutillo, nor Cherwiec described/suggested use of an advanced technology as VDSL as a uniform technology for all communication devices in a distribution unit and regardless any individual service agreements of multiple subscribers connected to the distribution unit.

Applicant respectfully submits that the method of providing communication services to multiple subscribers claimed in the amended Claim 26 (and of course in Claim 27) is indeed new and non-obvious both over the cited prior art. The proposed solution provides advantages not found in the prior art, in that it is

simple, and has an immediate capability to serve both present and future telecom subscribers' needs.

The proposed communication service distribution unit (Claim 35 amended in line with Claim 26) and the proposed system for providing broadband and narrowband services (Claim 44 amended accordingly) are also new and non-obvious over the prior art references for the same reasons.

Since Cutillo does not teach each of the claimed limitation set forth in the independent claims 26, 30, 35, 39, and 44, Cutillo does not anticipate the claims. For at least these reasons, Applicant respectfully submits that claims 26, 30, 35, 39, and 44 are patentable over the prior art of record. None of the other cited art remedies the deficiencies noted above with respect to Cutillo. Accordingly, claims 27-28, 31-32, 36-41 and 43, as well as claims 33 and 42, are believed to be patentable over the prior art of record in and of themselves and for the reasons discussed above with respect to claims 26, 30, 35, 39, and 44.

In view of the above amendment and remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections of record. Applicant submits that the application is in condition for allowance and early notice to this effect is most earnestly solicited.

If the Examiner has any questions, he is invited to contact the undersigned at 202-628-5197.

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Respectfully submitted,

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